The Growing Role of Campus Security

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Premises liability/negligence

- Duty - protect the student from unreasonable harm about which the university knew or should have known and minimize the predictable risks to the student.
- Breach
- Proximate Cause
- Injury

Liability for 3rd Party Criminal Acts

- Forseeability
- Similar Criminal Acts
Public Forum

Non-Public Forum

Limited Public Forum

Designated Public Forum

- Limited Designated Public Forum

- Unlimited Designated Public Forum

What Preventive Measures Should be Taken to avoid Liability?
- Background Checks for Dorm residents?
- Lighting inspections?
- Sign-in requirements?
- Comprehensive training programs for Officers
- Community policing and crime prevention programs
### Issues Related to Free Speech and Campus Security:
- **Space Limitations**
- **Advance Permission (Neutral)**
- **Time of Year**
- **Amplification**
- **Visual Displays**
- **Maximum Usage**

### Hypothetical #1
- John Smith, was last enrolled during the winter of 2006, but during that semester he was caught stealing over $1000 from other residents and was suspended. John is back in school and brought his friend Sarah Savage (a friend from juvenile prison) onto campus, but did not sign her in at the dorm as was required. Susan later went to the next housing facility using John’s old key card and severely beat Sam Jones, another Big City student causing him serious brain injury.
- Jones and his family bring a negligence claim against Big City University.

### Hypothetical #2
- A national pro-choice group has demanded use of both the outside quad area and an auditorium on the campus. College policies require prior permission for use of the quad. There exist no written policies regarding use of the auditorium, but it historically is used solely for college-sponsored events. The group had a gathering last year that resulted in several arrests by campus police. On the day the group is to hold its demonstration on the quad, the state’s governor (who is vehemently pro-choice) is scheduled to appear on campus as well. College officials wish to limit the group’s demonstration to an area three hundred feet from where the governor is to make his appearance.
Hypothetical #3

A lone campus officer encounters a preacher delivering a controversial speech. His words anger the crowd, and he is threatened. He simulates fighting and takes an aggressive posture toward the crowd of 200. The officer draws his taser and deploys it on the preacher. The preacher is arrested for disorderly conduct because he had created a substantial risk of assault. Preacher sues the University for use of the taser and false arrest.